

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MASSACHUSETTS

WORCESTER, ss.

In re:

WESTBOROUGH SPE LLC,

Debtor.

Chapter 7

Case No. 23-40709-CJP

MOTION TO INCLUDE RELIEF FROM AUTOMATIC STAY MOTION
Doc.#122 IN THE UPCOMING COURT HEARING

Lolonyon Akouete, creditor in the above-captioned case, respectfully submits this amended motion to request that the Court include the motion for relief from the automatic stay filed on April 18, 2024, in the agenda for the upcoming hearing scheduled for April 23, 2024. In support of this motion, the creditor states as follows:

1. Introduction

The creditor previously filed a motion for relief from the automatic stay to pursue a judgment confirming the amount of the debt owed by the debtor, Westborough SPE LLC. This motion was duly filed with a certificate of service, and objections to this motion are due by May 2, 2024.

2. Opposition

The creditor has engaged in communication with representatives of other interested parties, including Stephen F. Gordon of The Gordon Law Firm LLP, who represents Nathanson & Goldberg, P.C. and The MobileStreet Trust in this matter. Mr. Gordon has indicated that his client's decision on whether to object to the motion for relief from the automatic stay will depend on the results of the upcoming hearing scheduled for April 23, 2024. Accordingly, while there is not yet a formal objection, the potential for future opposition has been noted.

3. Judicial Economy

In light of the potential for changes in the positions of other creditors following the upcoming hearing, and to conserve judicial resources, the creditor proposes that this motion be heard at the already scheduled hearing date of April 23, 2024. This approach will allow for any objections to be addressed promptly and will potentially lead to a more efficient administration of the bankruptcy estate.

Conclusion and Request for Relief

Given the potential developments anticipated in the upcoming hearing, Lolonyon Akouete respectfully requests that this Court include the motion for relief from the automatic stay in the court hearing scheduled for April 23, 2024. Addressing this motion concurrently with other matters will streamline the process and could facilitate a more expedient resolution of these issues.

04/23/2024 DENIED. THE MOTION FOR RELIEF [DKT. NO. 122] WILL BE SCHEDULED FOR A DATE AFTER EXPIRATION OF THE OBJECTION DEADLINE WITH RESPECT TO THAT MOTION.

